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C O N F I D E N T I A L SECTION 01 OF 02 PARIS 006376

SIPDIS

FROM USUNESCO

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TAGS: [SCUL](#) [ETRD](#) [EU](#) [UNESCO](#)

SUBJECT: (U) USUNESCO: COUNTERING THE CULTURAL DIVERSITY CONVENTION

REF: PARIS 4145

Classified by USUNESCO DCM Andrew Koss, for reasons 1.4 (b) and (d).

11. (C) Summary. With the UNESCO general conference starting on October 3 and the General Conference Legal Committee scheduled to meet that first week, things are rapidly coming to a head. Several delegates have indicated that strong pressure in their capitals may help us to build a ground swell of support to slow the convention and prevent it from being adopted at this General Conference. Canada has put forward a draft resolution at the current Executive Board to remove the word "preliminary" from the draft convention and to recommend that it be adopted by the General Conference. Italy has approached us with a "compromise." End Summary.

Countering the Canadian resolution

12. (C) As reported septel, Canada is floating a draft resolution at the Executive Board that will move the preliminary draft convention to the General Conference without the word preliminary. This is an attempt to circumvent General Conference rules of procedure that stipulate a draft convention must be prepared seven months before the General Conference. It also is designed to circumvent the resolution of the previous General Conference in 2003 that only called for a report on a preliminary draft convention on cultural diversity.

13. (C) The Canadians are working with Senegal to get support. We know that Tanzania and Ukraine have already signed and can assume that Brazil, the EU members of the board (UK, France, Germany, Slovenia, Hungary, Czech republic, Slovakia and Italy) as well as EU-aspirant turkey have already signed. We of course cannot work with Belarus or Cuba and assume Venezuela will not join us. We also have doubts about Switzerland.

14. (C) The following executive board members must be convinced to remove their signature or not sign the draft resolution:

Afghanistan, Algeria, Australia, Bahamas, Bahrain, Bangladesh, Burkina Faso, Cambodia, Cameroon, Cape Verde, Congo, Dominican Republic, Ecuador, Egypt, Ghana, Guatemala, Iceland, India, Indonesia, Jamaica, Japan, Jordan, Kenya, Mali, Mauritius, Morocco, Mozambique, Namibia, Pakistan, the Russian Federation, Rwanda, Sri Lanka, Suriname, Turkey, Ukraine, Tanzania, Uruguay, Vanuatu, Vietnam and Yemen.

Building a groundswell of support at the General Conference

15. (C) We need to build a groundswell of support to slow things down at the General Conference. It would be very difficult to get enough votes to stop passage of the convention but if there is enough rumbling that the process has moved too fast, we may build support for delaying the convention.

16. (C) When asked by Ambassador Oliver recently if Afghanistan could support the US in its efforts to delay the cultural diversity convention, Ambassador Mohammad Aziz (protect) indicated that pressure on small countries like his is so intense that he would need the "cover" of a group of 30 countries before he could ask. This sentiment was echoed by the Costa Rican deputy who has already gone back to San Jose for instructions.

17. We have already reported that France and others have intensely lobbied for this convention at the highest levels. As an example of the pressure being applied, the new Israeli ambassador to UNESCO recounted that

when meeting with French Ambassador Jean Guigenou to seek support for Israel's run for the World Heritage Committee, his French counterpart told him flat out "no" because Israel had supported the US during the last round of negotiations. Guigenou indicated France might support Israel if Israel abstains during voting at the General Conference. The Israeli indicated he does not intend to give in to this kind of bullying.

18. Besides Afghanistan, we also have indications that Kenya, Kuwait and the CAFTA countries would join a group if given enough political cover. Colombia is also likely to support our position as they tentatively supported us during the last negotiations. Pressure also needs to be applied to Chile, Argentina and Mexico where it appears the culture ministers have won for the moment. We also need to get the support of smaller states that are usually forgotten in these matters. Small Pacific and Caribbean states might well support us as well as Anglophone African countries. We should not overlook Suriname or Guyana. We would also recommend approaching India which has been a vocal supporter of the convention but may respond to appeals from Washington about the trade aspects of the convention as well as Pakistan, Thailand, Bangladesh, Indonesia, Papua New Guinea and Brunei. The Gulf States are also possible supporters along with Jordan, Egypt, Libya, Algeria, and Morocco. Australia and New Zealand need some steel in their spines, as well as the Japanese. EU aspirant countries will be tough but we certainly should talk to all the Balkan countries, especially Macedonia, Serbia and Albania. We tend to think that francophone states are a lost cause but it's still worth an effort.

Breaking the EU Lock

19. (C) It will be tough but we still believe that the EU coalition is not that strong and could be broken apart. Clearly the UK has chosen this convention to show its Euro credentials, but Greece has continually told us privately they think the process is a sham, and Italy has said that it does not yet have instructions. Free traders the Netherlands and Ireland may also be open to appeals. The new Central European and Baltic state members seem embarrassed that they support a document that takes them back 15 years to state control of culture and may well listen to high level approaches. It's a long shot but it is worth a try.

110. Some of the EU members have already indicated unease with the process. The new Austrian ambassador (who arrived after the contentious June negotiations) indicated that he wants a consensus document. The new Belgian ambassador has also asked to meet to discuss the convention. Probably most telling, the just-departed Italian ambassador Francesco Caruso approached Ambassador Oliver quietly to suggest that the US take a reservation on the whole convention and allow it to go through with the understanding that a working group would be formed to work on convention problems and produce an interpretative document. It appears that Japan has received a similar approach. (Comment: while we appreciate Caruso's attempt to mediate, we do not know if he was acting alone or on behalf of other EU members. Still, we view this formula as unworkable and also doubt that France would ever accept it. End Comment)

111. Comment. If we are to slow down the convention it will take pressure at the highest levels in Washington and around the world to convince governments that they are supporting a non-democratic piece of international law that has been cloaked in the language of culture. End Comment.

OLIVER